IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY THE SIXTEENTH DAY OF FEBRUARY, TWO THOUSAND AND SIX
:PRESENT:
THE HONOURABLE SRI. G. S. SINGHVI, THE CHIEF JUSTICE
AND
THE HONOURABLE MR. JUSTICE: G. BHAVANI PRASAD
WRIT PETITION NO : 26064 of 2005

Between:
Lagoon Pub Bar Family Restaurant, 3-6-524, Above Global Trust Bank, 1st Floor, Zee Plaza Complex, Himayatnagar, Hyderabad-29, rep. by its Proprietor Mr. Inderjeet Singh Tuteja. **..... PETITIONER**

AND

1.The Commissioner of Police, Hyderabad City, Basheerbagh, Hyderabad.
2.The Deputy Commissioner of Police, Central Zone, Hyderabad.
3.The Deputy Commissioner of Police, Taskforce Central Zone, Hyderabad.
4.The Station House Officer, Narayanaguda, P.S., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in interfering and preventing the petitioners from running the Bar & Restaurant in providing entertainment by way of live band/Orchestra in the Petitioners premises" as arbitrary illegal, unconstitutional, and violative of the judgment of the apex court of India, consequently permit the petitioner for conducting the Orchestra/live band in the petitioners premises in the restaurant hours.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and the order of the High Court dated 20-12-2006 and made herein and upon hearing the arguments of Mr. Amarnath Goud Thodupunuri, Advocate for the Petitioner and the Govt. Pleader for Home, on behalf of the Respondents, the **Court made the following ORDER :-**

Sri T. Amarnath Goud, Sri V. Venkataramana and Sri M. Rama Rao for the petitioners. Government Pleader for Home for the respondents.

Learned counsel for some of the petitioners in this batch of petitions has made a request for adjournment on the ground that Sri D. Prakash Reddy, Senior Counsel is busy in the marriage of his son.

Adjourned to March 1, 2006.

While adjourning this case and connected cases, we deem it proper to take cognizance of the one of the pleas taken in the counter filed by Sri A.K. Mohanty, Commissioner of Police, Hyderabad, that most of the bars and restaurants are being run in the buildings which do not have any provision for parking of the vehicles of the customers and others.

In this context, it is appropriate to notice that a large number of commercial complexes and restaurants are running in the city of

Hyderabad with or without licences issued by the competent authority though most of them do not have any provision of parking. As a consequence, the public at large is put to serious inconvenience due to creation of traffic bottlenecks. Prima facie, we are of the view that without making adequate provision for parking of vehicles, no commercial establishment or bar or restaurant or similar public facilities could be operated in the city because the customers of such commercial establishments cannot use public road which is meant for moving traffic.

Contd..2….

Learned Government for Home is directed to instruct the concerned authorities to prepare a list of all the commercial establishments, bars, restaurants etc. which are being operated in the cities of Hyderabad, Secunderabad and Cyberabad without proper parking arrangements.

On the next date of hearing, learned Government Pleader should also, under instructions obtained from the concerned authorities, make a statement on the issue of providing parking spaces and slots in different parts of Hyderabad, Secunderabad and Cyberabad.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Commissioner of Police, Hyderabad City, Basheerbagh, Hyderabad.**(By Special Messenger)**
2. The Deputy Commissioner of Police, Central Zone, Hyderabad.
3. The Deputy Commissioner of Police, Taskforce, Central Zone, Hyderabad.
4. The Station House Officer, Narayanaguda, P.S., Hyderabad.
5. Two CCs to the Govt. Pleader for Home, High Court of A.P., ,Hyderabad.(OUT)**(By Special Messenger)**
6. Two spare copies.
7. One CC to Mr. Amarnath Goud Thodupunuri, Advocate (OPUC)

TKK

HIGH COURT

HC.J & GBP.J

DT.16-2-2006.

W.P.NO. 26064 OF 2005.

DIRECTION.

DRAFTED BY TKK
DT.18-2-2006.

HIGH COURT

HC.J & GBP.J

DT.16-2-2006.

Note :- <u>Adjourned to March 1, 2006.</u>

W.P.NO. 26064 OF 2005.

DIRECTION.